

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ANGELA MACEY-CUSHMAN, as
Litigation Guardian Ad Litem for minor
O.M.,

Plaintiff,

v.

TACOMA SCHOOL DISTRICT No. 10;
MEGAN CLARK; SANDRA HOLMES;
MELISSA PORTER; KATHERINE
HOLMES, as Personal Representative of the
Estate of Stephen Holmes,

Defendants.

Case No. 3:21-cv-05865-TMC

ORDER GRANTING DEFENDANT'S
MOTION FOR PARTIAL SUMMARY
JUDGMENT


This matter comes before the Court on Defendant Katherine Holmes, as the Personal Representative of the Estate of Stephen Holmes's (the "Estate") motion for partial summary judgment. Dkt. 129. The Estate moves for summary judgment on the same claims the Court previously dismissed as to the other Defendants in its prior summary judgment order (Dkt. 112). Plaintiff Angela Macey-Cushman, as guardian ad litem for minor O.M. ("O.M."), opposes the Estate's motion and has filed a response articulating substantially the same arguments that were previously asserted against the other Defendants' motions for summary judgment (Dkt. 130); and the Estate has replied (Dkt. 131).

O.M.'s opposition does not introduce genuine issues of material fact that would change

1 the Court's reasoning as to her claims against the Estate, for the reasons explained in the Court's
2 prior summary judgment ruling. Accordingly, having reviewed the parties' briefing and
3 considering itself fully advised, the Court GRANTS the Estate's motion for those same reasons.

4 The Court therefore ORDERS that the Estate's motion for partial summary judgment
5 (Dkt. 129) is GRANTED and O.M.'s claims under 42 U.S.C. § 1983 (count I of the operative
6 complaint, including her constitutional and Title IX claims) against the Estate are DISMISSED
7 with prejudice.

8 Dated this 3rd day of May, 2024.

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11 Tiffany M. Cartwright
12 United States District Judge
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